

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
- BROWNSVILLE DIVISION -**

United States District Court
Southern District of Texas
ENTERED

JUN 10 2005

Michael N. Milby, Clerk of Court
By Deputy Clerk *[Signature]*

UNITED STATES OF AMERICA

VS.

JESUS DAVID GARCIA-MARTINEZ

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§

CRIMINAL NO. B-05-139

ORDER

BE IT REMEMBERED on this 8 day of June, 2005, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed March 3, 2005, wherein the defendant Jesus David Garcia-Martinez waived appearance before this Court and appeared before the United States Magistrate Judge John Wm. Black for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The Magistrate Judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Jesus David Garcia-Martinez to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge is hereby adopted. The Court finds the defendant Jesus David Garcia-Martinez guilty of the offense of alien unlawfully being present in the United States after having been convicted of an aggravated felony and deported, in violation of 8 U.S.C. §§ 1326(a) and 1326(b).

SIGNED this the 8 day of June, 2005.

[Signature]
Hilda G. Tagle
United States District Judge